

February 5, 2008

Mt. Carmel Public Utility Co.	:	
	:	07-0357
Proposed general increase in electric	:	
and natural gas rates.	:	<b>SERVED ELECTRONICALLY</b>
(tariffs filed on May 4, 2007)	:	

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given by the Administrative Law Judge that on January 15, 2008, the City of Mt. Carmel filed a Motion to Strike Portions of Mt. Carmel Public Utility's Reply Brief. On January 17, 2008 the Staff of the Illinois Commerce Commission filed a Response to the Motion to Strike, supporting the City's Motion to Strike. On January 18, 2008, Mt. Carmel Public Utility filed a response to the City's Motion, and on January 22, 2008, Mt. Carmel Public Utility filed a response to Staff's filing.

Notice is also given by the Administrative Law Judge that based on the filings made in this proceeding by the parties and the arguments contained therein, the City of Mt. Carmel's Motion to Strike is hereby granted, and the requested portions of Mt. Carmel Public Utility's Reply Brief are stricken.

Notice is further given by the Administrative Law Judge that Staff in its Response added a Paragraph VI, complaining of Mt. Carmel Public Utility's Reply Brief, and indicated that much of the Reply Brief consisted of argument, and was not properly contained in a Reply to Initial Briefs. Staff requested that Mt. Carmel Public Utility's arguments raised for the first time in its Reply Brief be disregarded. As Staff did not file a separate Motion to Strike, nor did Staff identify specific provisions which should be stricken, this request is denied.

Sincerely,

Elizabeth A. Rolando  
Chief Clerk

EAR:sc  
Administrative Law Judge Yoder

cc:	<u>Engineering</u>	<u>Accounting</u>
	Mr. Maple	Mr. Ostrander
	Mr. Rockrohr	Mr. Struck
	Ms. Kight-Garlich – Finance	Ms. Harden - Rates

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